

## ***AMENDMENTS TO THE CLAIMS***

Please amend the claims as indicated hereafter.

1. (currently amended) A MEMS switch comprising a non-conductive deflecting beam attached to a substrate, an actuator plate attached to said substrate, an attracted plate attached to said deflecting beam, a first signal path plate attached to said substrate; a second signal path plate attached to said deflecting beam and a dielectric attached to one of said first or second signal path plates;

wherein said first and second signal path plates are connected to a signal path so that when said first and second signal path plates are in close proximity to each other the signal path closes as a result of capacitive coupling; and

wherein a solid state switch is in parallel to the MEMS switch and connects to the signal path.

2. (original claim) The MEMS switch of claim 1 wherein said deflecting beam is a cantilever beam.

3. (original claim) The MEMS switch of claim 1 wherein said deflecting beam is a beam having a first and second end and said first and second ends are fixed.

4. (currently amended) A method of actuating a MEMS switch, wherein said MEMS switch is a capacitively coupling switch which includes atleast a non-conductive deflecting beam comprising the steps of:

closing the MEMS switch by drawing a pair of signal path plates into close proximity, said close proximity causing the signal path plates to capacitively couple;

opening the MEMS switch by separating said pair of signal path plates and simultaneously closing a solid state switch, said solid state switch being in parallel with said MEMS switch, wherein closing said solid state switch eliminates any voltage differential between the pair of signal path plates; and

allowing the signal path plates to become distant from each other and opening said solid state switch.

5. (original claim) The method of claim 4, wherein said MEMS switch comprises a deflecting beam attached to a substrate, an actuator plate attached to said substrate, an attracted plate attached to said deflecting beam, a first signal path plate attached to said substrate; a second signal path plate attached to said deflecting beam and a dielectric attached to one of said first or second signal path plates, wherein said step of closing the MEMS switch by drawing a pair of signal path plates into close proximity comprises applying a voltage to said actuator plate.

6. (original claim) The method of claim 5, wherein said step of opening the MEMS switch by separating said pair of signal path plates comprises removing said voltage from said actuator plate.

7. (original claim) The method of claim 6 wherein said deflecting beam is a cantilever beam.

8. (original claim) The method of claim 6, wherein said deflecting beam is a beam with a first and second end and said first and second ends are fixed.